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**Linda McCulloch**  
Superintendent

DATE: October 5, 2006

TO: Local Education Agency Administrators

FROM: Christine Emerson, Director  
School Nutrition Programs

SUBJECT: U.S. Armed Forces Family Supplemental Subsistence Allowance – Permanently Excluded from Income Consideration for the School Nutrition Programs

Public Law 109-163 (January 6, 2006) made the Department of Defense's Family Subsistence Supplemental Allowance (FSSA) permanently available. Therefore, the exclusion of the FSSA as income for the School Nutrition Programs is also permanent. Below for your information is a copy of the information included in the memorandum dated August 31, 2005 which explains FSSA.

"Since May 2001, the Department of Defense has paid certain members of the Armed Forces and their families a Family Subsistence Supplemental Allowance (FSSA). The FSSA is designed to bring a household's income up to 130% of the Federal poverty line and decrease the reliance on Food Stamps for affected members and their families. The amount of the FSSA, based on household size and income, may not exceed \$500 per month. Previously, for purposes of Child Nutrition Programs (CNP) eligibility determination, the FSSA payments were counted as earned income for households (see Q and A 2 on page 37 of the August 2001, *Eligibility Guidance for School Meals Manual*). However, in Section 602 of the *Ronald W. Reagan National Defense Authorization Act* for Fiscal Year 2005, Public Law 108-375, Congress specified that in the event that counting the FSSA as income would put a family over the CNP income limits, the family must be considered eligible to receive CNP benefits.

Therefore, in accordance with Public Law 108-375, any FSSA that a household receives must not be treated as income in determining eligibility for free and reduced price meals under any of the CNPs."

If you have questions, please contact School Nutrition Programs at (406) 444-2501.